

REMARKS

Claims 1-8, 10-17, and 19-24 were pending when the Office Action was mailed. Applicant herein amends claims 6, 11, 16, and 19, cancels claims 1-5, 21, and 22, and presents new claims 25-28 to further clarify the subject matter for which protection is sought. Accordingly, claims 6-8, 10-17, 19, 20, and 23-28 are currently pending.

The Office Action rejects claim 1 under 35 U.S.C. § 112, first paragraph; rejects claims 1-8, 10-17, and 19-24 under 35 U.S.C. § 101; rejects claims 1-8, 10-15, and 21-24 under 35 U.S.C. § 102(e) over Radwin; and rejects claims 16, 17, 19, and 20 under 35 U.S.C. § 103(a) over Radwin and Ponte. Applicant respectfully traverses these rejections.

The Office Action rejects claim 1 under 35 U.S.C. § 112, first paragraph asserting that the specification does not adequately describe the phrase "in advance." Although applicant does not concur in the propriety of this rejection, applicant herein cancels claim 1 and respectfully requests that the Examiner withdraw this rejection.

The Office Action rejects claims 1-8, 10-17, and 19-24 under 35 U.S.C. § 101, asserting that the method steps recited therein neither relate to another statutory class of invention nor physically transform underlying subject matter. Although applicant does not concur in the propriety of this rejection, to advance examination, applicant herein cancels claims 1-5 and amends claims 6, 11, 16 and 19 to recite in their bodies the performance of one or more acts with a processor. Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw this rejection and submits that any similar rejection of the pending method claims would be unmerited.

The Office Action rejects claims 1-8, 10-15, and 21-24 under 35 U.S.C. § 102(e) over Radwin. Applicant's claimed technology stores associations of search terms and

advertising strategies, each having multiple associated advertisements and uses these associations to associate users with advertising strategies based on the search terms they employ. The association of users and advertising strategies assists in determining which advertisements to display to a user as the user visits different publishers' web sites. For example, when a user searches for "nine iron," the user may be associated with an advertising strategy for golf equipment. At each opportunity to present an advertisement to a user, regardless of the web site the user is visiting, the previously generated association between golf equipment and the user can be used to determine which advertisement to display.

Radwin is directed to a technique for presenting advertisements to users based on search terms the users employ. When a user performs a search query, Radwin's technique stores the search terms employed and presents a list of search results to the user in addition to an advertisement. When a user visits another page by, for example, clicking a link associated with a search result, the search terms that the user has employed in the past are used to select an advertisement to display. In other words, prior to visiting another page, Radwin does nothing to associate users with advertisements or advertising strategies other than accumulate search terms the user has employed. This is in contrast to applicant's claimed technique in which users are associated with an advertising strategy to be employed at a publisher web site prior to the user visiting that publisher web site.

Claim 6 now recites "in response to the user visiting a publisher web site after the user is assigned to a selected advertising strategy, enacting the selected advertising strategy to present an advertisement associated with the selected advertising strategy." Applicant respectfully disagrees that the relied-upon portions of Radwin disclose this feature. The Office Action relies on Radwin at Figure 6, 620 and 12:17-25 as disclosing "in response to a user visiting a publisher web site after the user is assigned to a

selected advertising strategy, enacting the selected advertising strategy." Radwin at Figure 6, 620, however, shows that the advertisement or group of advertisements from which an advertisement may be selected to be displayed to a user when the user is directed from the search results page to another page is not determined until after the user selects to visit the next page. Similarly, Radwin at 12:17-25 describes waiting to display a time-dependent advertisement until a user selects a web page to view from a search results page. Radwin goes on to describe selecting a time-dependent advertisement to display to a user by 1) fetching search terms the user has previously employed, 2) filtering out expired search terms, 3) determining a sub-set of advertisements that may be presented, and 4) from those advertisements, selecting a single advertisement that is optimal for presentation. (Radwin, 12:25-43). Thus, at the time the user is directed to the next page, Radwin's technique must, among other things, determine which search terms the user has employed and filter out any expired search terms before selecting a group of advertisements from which an advertisement may be selected to be displayed to a user, the user is not already assigned to a particular advertising strategy. This is in contrast to applicant's technique in which a user is associated with an advertising strategy prior to visiting a publisher web site on which the advertising strategy is used to select an advertisement to display to the user. Radwin fails to teach or suggest enacting an advertising strategy to which a user has been assigned prior to visiting a publisher web site in response to the user visiting the publisher web site, as recited. For the foregoing reasons, claim 6 and its dependent claims 7, 8, 10-15, 23, and 24 are patentable over Wilkins. Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw these rejections.

The Office Action rejects claims 16, 17, 19, and 20 under 35 U.S.C. § 103(a) over Radwin and Ponte. Ponte is directed to a technique for targeting banner advertisements by mapping categories of documents to super-categories of documents. Initially, a number of categories of documents are obtained, for example, categories

from yellow pages, each category having an associated set of terms or words. Ponte's technique then establishes a number of super-category terms and maps each category to a super-category term to establish a super-category list and associates advertisements with super-categories. When a user performs a search, Ponte's technique identifies a super-category based on the search terms employed and may display an associated advertisement to the user.

Claim 16 now recites "generating a plurality of selected advertising strategies, each with an associated arbitrary Boolean search expression based on search terms associated with the associated advertising strategy." Applicant submits that the relied-upon portions of Ponte fail to disclose this feature. The Office Action relies on Ponte at 27:19-22, 26-35 as disclosing "generating a plurality of selected advertising strategies, each with an associated Boolean search expression, the Boolean search expression corresponding to search terms associated with the associated advertising strategy." Ponte at 27:19-22, 26-35 describes query requests made by a user, which are "generally the combination of boolean operators and search terms." Thus, Ponte's Boolean expressions are merely search queries received at the time a user makes a query request. Unlike applicant's technique, in which each advertising strategy has an associated Boolean expression, Ponte's Boolean expressions are associated with search queries generated by and received from users. The relied-upon portions of Ponte provide no indication that the Boolean expressions are associated with any advertising strategy. Furthermore, Ponte provides no indication that each of a plurality of advertising strategies has an associated Boolean expression. Radwin does not cure these deficiencies. For the foregoing reasons, applicant submits that claim 16 is patentable over Radwin and Ponte. Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance and respectfully requests reconsideration.

Please charge any deficiencies, or credit any overpayment, to our Deposit Account No. 50-0665, under Order No. 418268719US from which the undersigned is authorized to draw.

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Respectfully submitted,

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